

BY TELECOMMUNICATION

October 12, 1994

MEMORANDUM TO THE COMMITTEE OF COUNSELRe: **State of Washington Litigation**

On October 7, 1994, Timothy Butler of the Heller, Ehrman firm in Seattle faxed you a memorandum regarding a ruling by one of the Washington Court of Appeals' "Commissioners," who denied an alleged "emergency motion for stay." As Tim noted, the Commissioner thereby denied a motion we did not make.

Tim has now consulted further with the Commissioner and been advised that both of the two motions that we did file (seeking discretionary review and a stay pending such review) are still pending. Our opponents (L&I) must respond by tomorrow (October 13), at which point we can plan our further steps.

Clausen Ely, Jr.

RECEIVED**OCT 12 1994****DENISE F. KEANE**

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